

CHAPTER 11

CLAIMS FOR ERRONEOUS PAYMENT OF

PAY AND ALLOWANCES, TRAVEL AND TRANSPORTATION,

RELOCATION EXPENSES AND ALLOWANCES

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1101 **OVERVIEW**

110101. This chapter sets forth policies relating to claims of the United States, as represented by NASA, for erroneous payment of pay and allowances, travel and transportation, relocation expenses and allowances and the waiver of those claims. Under 5 USC 5584, "Claims for Overpayment of Pay and Allowances, and of Travel, Transportation and Relocation Expenses and Allowances", the authority to waive claims where collection is not in the best interest of the United States was given to the Director of the Office of Management and Budget. In the directive "Determination with Respect to Transfer of Functions Pursuant to Public Law 104-316," dated December 17, 1996, the Director of OMB delegated authority to waive collection of erroneous payments from civilian employees to the Executive Branch agency that made the erroneous payment.

1102 **AUTHORITY AND REFERENCES**

110201. **Laws.**

- A. General Accounting Office (GAO) Act of 1996, Public Law 104-316, 110 Statue.3826, Section 101 "Transportation and Relocation Expenses and Allowances."
- B. 5 U.S.C. § 5584 - Claims for Overpayment of Pay and Allowances, and of Travel, Transportation, and Relocation Expenses and Allowances
- C. 5 U.S.C. § 5514 - Installment deduction for indebtedness to the United States

110202. **Executive Agency Regulations and Directives.**

- A. 14 CFR Aeronautics and Space. Subpart 1261.6, Collection by Offset from Indebted Government Employees
- B. NASA Policy Directive 9645.2, Delegation of Authority - To Waive Claims for Erroneous Payment of Pay and Allowances, Travel, Transportation, and Relocation Expenses and Allowances

1103 POLICY

110301. 5 U.S.C. § 5514, “Installment Deduction for Indebtedness to the United States”, authorizes that deductions may be made from the current pay of employees to satisfy indebtedness incurred as the result of an erroneous payment to or on behalf of the employee. NASA's policy is to promptly process claims due to erroneous payments and to approve or deny the waiver of claims based on laws, statutes, decisions of the Comptroller General, Code of Federal Regulations, and promulgations of central regulatory agencies, or other legal written documentation. When a claim against an erroneous payment is waived in accordance to this policy, the payment is deemed valid for all purposes.
110302. In cases where an overpayment concerns a debt which clearly does not fall within the provisions of 5 U.S.C. § 5584 as amended, the NASA Headquarters, Chief Financial Officer and Center, Chief Financial Officer, or the Personnel Director shall advise the applicant that a waiver may not be considered because the debt does not fall within the provisions of the law.
110303. This policy does not apply to payments to other than NASA employees, or an advance made to an employee under the provisions of Subchapters I and II, Chapter 57 of Title 5, United States Code. Sums advanced to an employee and not used for allowable expenses are recoverable from the employee or his/her estate by: (1) setoff against accrued pay, retirement credit, or other amounts due the employee; (2) deduction from an amount due from the United States; and (3) other method provided by law.